

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 25, 2008

D050037 In re Carl N., a Juvenile

The judgment is affirmed. CERTIFIED FOR PUBLICATION
Nares, J.; We Concur: Huffman, Acting P.J., McDonald, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 26, 2008

D049161 Real Estate Analytics, LLC v. Vallas

D049890 Real Estate Analytics, LLC v. Vallas

The pending appeals, both entitled *Real Estate Analytics, LLC v. Theodore Tee Vallas*, D049161 and D049890, are consolidated for disposition.

D050084 Williams et al. v. Franchise Tax Board

The judgment is affirmed. Benke, J.; We Concur: McConnell, P.J., Nares, J.

D050373 The Upper Deck Company et al. v. Orrick, Herrington & Sutcliffe

The order is affirmed. Attorney is entitled to costs on appeal. McDonald, J.;
We Concur: Huffman, Acting P.J., McIntyre, J.

D049161 Real Estate Analytics, LLC v. Vallas

D049890 Real Estate Analytics, LLC v. Vallas

(Consolidated) Judgment reversed. The court is ordered to enter a new judgment granting specific performance and to strike the alternate damages remedy. In all other respects, the judgment is affirmed. The attorney fees order is affirmed. Vallas to bear REA's costs on appeal. CERTIFIED FOR PARTIAL PUBLICATION. Haller, J. We Concur: Benke, Acting P.J., McDonald, J.

D050831 In re Ivan C., a Juvenile

The order of wardship is affirmed. Haller, J.; We Concur: Huffman, Acting P.J., Nares, J.

D050994 In re Melanie S. et al., Juveniles

Judgment affirmed. McDonald, J.; We Concur: Benke, Acting P.J., Huffman, J.

D050918 People v. Aguilar

The judgment is affirmed. Benke, Acting P.J.; We Concur: Huffman, J., McIntyre, J.

D051438 People v. Easter

The judgment is affirmed. Huffman, J.; We Concur: McConnell, P.J., Irion, J.

D050150 People v. Paredes

The trial court's January 4, 2007 order is reversed. The matter is remanded to the trial court with directions to enter an order denying Paredes's motion. CERTIFIED FOR PUBLICATION. Aaron, J.; We Concur: Nares, Acting P.J., McIntyre, J.

D049484 People v. Martinez

D049519 People v. Acero

D051985 In re Martinez on Habeas Corpus

(Consolidated) The judgments are affirmed and Martinez's petition for writ of habeas corpus is dismissed as moot. McIntyre, J.; We Concur: Huffman, Acting P.J., McDonald, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 26, 2008 (Continued)

D049905 Searles Valley Minerals v. State Board of Equalization

The judgment is affirmed. The Board is awarded its costs on appeal. CERTIFIED FOR PUBLICATION. McIntyre, J.; We Concur: Huffman, Acting P.J., Aaron, J.

D051863 Turgeon v. Superior Court of San Diego County/People

The petition for writ of mandate, on transfer from the Supreme Court, has been read and considered by Justices Benke, McIntyre and Irion. The petition is denied.

D051931 In re Licon on Habeas Corpus

The petition is denied.

D051930 In re Ferguson on Habeas Corpus

The petition is denied.

D051979 In re Abney on Habeas Corpus

The petition is denied as duplicative.

D051906 Checks Cashed For Less, Inc. v. Superior Court of San Diego County/Goins

The petition is denied.

D052045 D.R. Horton San Diego Holding Company, Inc. v. Superior Court of San Diego County/Chavez

The petition is denied.

D051920 Akal Security et al. v. Workers' Compensation Appeals Board and John J. Lang

The petition is denied.

D052008 In re Ocular on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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February 26, 2008

D051406 People v. Thomas

The judgment is affirmed. McConnell, PJ; We Concur: Nares, J., Aaron, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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February 27, 2008

D051872 In re Jimenez on Habeas Corpus

The petition is denied.

D051176 In re Jonathan H. et al., Juveniles

The judgments are affirmed. Huffman, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

D051415 People v. Wells

The judgment is affirmed. Irion, J.; We Concur: McConnell, P.J., Aaron, J.

D052087 Lytwyn v. Fry et al.

Upon filing a written abandonment of appeal, the appeal is dismissed and the remittitur is ordered to issue immediately.

D051724 In re Grace B., a Juvenile

Judgment affirmed. Aaron, J.; We Concur: McConnell, P.J., Huffman, J.

D051579 In re D.H., a Juvenile

The appeal is dismissed. Haller, J.; We Concur: Benke, Acting P.J., Aaron, J.

D050884 People v. Cowell

The judgment is affirmed. Irion, J.; We Concur: Benke, Acting P.J., Huffman, J.

D050360 Rodriguez v. Wenger

The judgment is affirmed. Benke, J.; We Concur: McConnell, P.J., Nares, J.

D052009 In re Allen on Habeas Corpus

The petition is denied.

D050564 Brede v. Brede et al.

The judgment is affirmed. Respondents are entitled to costs on appeal. McDonald, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.

D051174 People v. Mendoza

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Nares, J., McDonald, J.

D051072 In re Joseph R., a Juvenile

The order is affirmed. McDonald, J.; We Concur: McConnell, P.J., McIntyre, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 27, 2008 (Continued)

**D050411 National Enterprises, Inc. v. State Department of Transportation/California
Transportation Ventures, Inc.**

The judgment is affirmed. McIntyre, Acting P.J.; We Concur: O'Rourke, J., Aaron, J.

D050901 In re Sophia H., a Juvenile

The order is affirmed. Benke, J.; We Concur: McConnell, P.J., McIntyre, J.

D050947 In re the Marriage of Trabanino

The order transferring jurisdiction of this matter to Arizona is reversed. McIntyre, J.;
We Concur: Benke, Acting P.J., Huffman, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 28, 2008

D049520 People v. Comaduran

The judgment is affirmed. Irion, J.; We Concur: McConnell, P.J., O'Rourke, J.

D052118 In re Jack T., a Juvenile

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rules 8.412(d)(1)(A), and 8.416(g). The appeal is dismissed.

D050152 People v. Hernandez et al.

The judgment is affirmed with respect to Olivero's convictions and sentence. The judgment is reversed as to Hernandez's convictions. Irion, J.; We Concur: McConnell, P.J., O'Rourke, J.

D051701 In re K.A. a Juvenile

The orders are affirmed. Haller, J.; We Concur: Benke, Acting P.J., McDonald, J.

D052037 In re Haynes on Habeas Corpus

The petition is denied.

D052033 Turley v. The Superior Court of San Diego County/Mayer Hoffman McCann P.C.

The petition is denied.

D050314 Hernandez v. Barber

The judgment is affirmed. Barber is awarded his costs of appeal. McIntyre, Acting P.J.; We Concur: O'Rourke, J., Aaron, J.

D049800 Puentes et al. v. Wells Fargo Home Mortgage, Inc.

The judgment is affirmed. Wells Fargo is entitled to costs on appeal. CERTIFIED FOR PUBLICATION. McConnell, P.J.; We Concur: Nares, J., Haller, J.

D049936 Adajar et al. v. RWR Homes, Inc.

The opinion filed February 3, 2008, ordered certified for publication.

D052001 In re Neblett on Habeas Corpus

The petition is denied.

D049200 Killman v. Wilhelm et al.

The judgment is affirmed. Huffman, J.; We Concur: McConnell, P.J., O'Rourke, J.

D052056 In re Elguera on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 28, 2008 (Continued)

D052136 In re Travis L., a Juvenile

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)

D049742 Morris v. Badiei

The order granting in part Badiei's vexatious litigant motion is affirmed. Badiei shall recover his costs on appeal. Nares, J.; We Concur: McConnell, P.J., Irion, J.

**D052235 Costa Serena Architectural Committee v. Superior Court of San Diego
County/Costa Serena Owners Coalition**

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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DIVISION ONE
February 29, 2008

D050280 People v. Wills
D051292 In re Wills on Habeas Corpus

The pending petition for writ of habeas corpus, In re Kaeokulani Wills, D051292, is consolidated with the pending appeal People v. Kaeokulani Wills, D050280, for disposition.

D050280 People v. Wills
D051292 In re Wills on Habeas Corpus

(Consolidated) The judgment is affirmed; the petition for writ of habeas corpus is denied.

CERTIFIED FOR PUBLICATION. Nares, Acting P.J.; We Concur: Haller, J., McDonald, J.

D051889 Elihu v. Elihu

Upon written request filed by appellant, the appeal is DISMISSED and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2).)

D049915 Kassab v. San Diego Police Department

The order is affirmed. O'Rourke, J.; We Concur: McIntyre, Acting P.J., Aaron, J.

D052046 In re Marriage of Eddy

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2).)

D048789 People v. Haiman

The judgment is reversed. Huffman, J.; We Concur: McConnell, P.J., Irion, J.

D052304 Ashley H. v. The Superior Court of San Diego County/S.D. County Health & Human Services Agency

The attorney for petitioner Ashley H. has notified the court that a petition for writ of mandate under California Rules of Court, rules 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

D052331 Josephina M. et al. v. The Superior Court of San Diego County/S.D. County Health & Human Services Agency

The attorney for petitioner Josefina M. has notified the court that a petition for writ of mandate under California Rules of Court, rules 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

D052309 California Franchise Tax Board v. Superior Court of San Diego County/Rohr, Inc.

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 29, 2008 (Continued)

D049574 People v. Rodriguez

The conviction on count 3 is reversed. In all other respects, the judgment is affirmed. The trial court is directed to modify the abstract of judgment accordingly and forward an amended abstract of judgment to the Department of Corrections and Rehabilitation. Irion, J.; We Concur: Nares, Acting P.J., McDonald, J.

D051943 In re Clemens on Habeas Corpus

The petition is denied.

D052418 In re the Marriage of Mosier

Pursuant to California Rules of Court, rule 8.140, the appeal is dismissed for appellant's failure to timely designate the record.

D052077 In re Davis on Habeas Corpus

The petition is denied.

D052305 Chanh M. v. The Superior Court of San Diego County/S.D. County Health & Human Services Agency

The attorney for petitioner Chanh M. has notified the court that a petition for writ of mandate under California Rules of Court, rules 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

D052017 Beach Cities Surgery Center v. Workers' Compensation Appeals Board/South Bay Union School District et al.

The petition is denied.

D048740 People v. Monroe

The superior court is directed upon remand to stay the sentence on counts 2 and 7 pursuant to section 654 and forward an amended copy of the abstract of judgment to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed. Nares, Acting P.J.; We Concur: Haller, J., McDonald, J.

D049355 People v. Vazcones

The judgment is affirmed. Benke, Acting P.J.; We Concur: McDonald, J., Irion, J.

D052035 In re Landa on Habeas Corpus

The petition is denied.

D052075 Escondido High School District v. Superior Court of San Diego County/Theresa G.

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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D051769 In re K.F. et al., a Juvenile

The orders are affirmed. Huffman, Acting P.J.; We Concur: McIntyre, J., Irion, J.